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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/075,964	02/13/2002	Duncan Kerr	APL1P215/P2698	9251
22434	7590	10/06/2003	EXAMINER	
BEYER WEAVER & THOMAS LLP			TON, ANABEL	
P.O. BOX 778			ART UNIT	
BERKELEY, CA 94704-0778			PAPER NUMBER	
			2875	

DATE MAILED: 10/06/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/075,964

Applicant(s)

KERR, DUNCAN

Examiner

Anabel M Ton

Art Unit

2875

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1) ☒ Responsive to communication(s) filed on 12 February 2003.

2a) ☐ This action is FINAL.

2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

4) ☒ Claim(s) 1-75 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.

6) ☒ Claim(s) 1-75 is/are rejected.

7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.

8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☐ All b) ☐ Some \* c) ☐ None of:

1. ☐ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.5.

4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other:

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-3,20-27,29-47,51,52,54,55,63-70,73 and 75 are rejected under 35 U.S.C. 102(e) as being anticipated by An et al (6,494,593).

3. An et al discloses an illuminable housing having a housing wall configured to allow the passage of light;(100) and a light emitting device disposed inside the illuminable housing (800), the light emitting device being configured to produce a light effect that alters the ornamental appearance of the computing device (fig 5);

- The housing wall has a contour that helps to define the outer peripheral form of the illuminable housing (100)
- The light emitting device includes a light source configured to generate the light so as to illuminate the interior of the illuminable housing (figs 3 and 5);
- The housing wall is capable of producing a characteristic glow at the outer periphery of the housing wall when the light is transmitted through the housing wall (100);

- The housing is configured to enclose internal components associated with the operation of the computing device (fig 5).
- The illuminable housing is configured to cover and protect the internal components (fig 5);
- The internal components comprise a processor (inherent feature in a laptop or personal computer)
- The internal components comprise a display controller, input controller or output controller (inherent components in a personal or laptop computer)
- The internal components comprise a display that is distinctly separate from the light-emitting device.
- The internal components comprise an input or output device.
- Wherein the light effect is static.
- A computer system having a housing for enclosing at least one component of the computer system, the housing having a light passing wall, the computer system comprising: to a light source disposed inside the housing, the light source being configured to generate light; and a light controller operatively coupled to the light source, the light source controller being configured to control the light source so as to illuminate at least a portion of the light passing wall of the housing with the light generated by the light source(fig 5).
- The light source is dedicated to illuminating the light passing wall;
- The light source is not a display (fig 3).
- The light source controller is disposed inside the housing.

- A processor configured to carry out operations associated with the computer system, the processor being operatively coupled to the light source controller (inherent);
- The processor is disposed inside the housing
- A display; and a display controller configured to process display commands to produce text or graphics on the display (screen, not seen, fig 5)
- The display is disposed inside the housing.
- The display controller is disposed inside the housing.
- An input/output controller configured to control interactions with one or more input/output devices that can be operatively coupled to the computer system.
- The input/output controller is disposed inside the housing.
- The computing device is a general purpose computer
- The general-purpose computer is a desktop computer.
- The general-purpose computer is a laptop computer.
- A processor configured to carry, out operations associated with the computer system (inherent in a computer system), the processor being operatively coupled to the light source controller (40); a display; a display controller operatively, coupled to the processor and the display, the display controller being configured to process display commands to produce text or graphics on the display; and an input/output controller operatively coupled to the processor, the input/output controller being configured to control interactions with one or more input/output devices that can be operatively coupled to the computer system (fig 5);

- The housing is configured to enclose the light source controller, the processor, the display, the display controller, the input/output controller and at least one input/output device (fig 5);
- The housing is configured to enclose the light source controller, the processor, the display controller and the input/output controller.
- The housing is configured to enclose the display.
- The housing is configured to enclose at least one input/output device.
- The housing further includes one or more opaque walls that cooperate with the one or more light passing walls to define the shape of the housing (100).
- A general purpose computer having the ability to alter its ornamental appearance, the general purpose computer comprising: a housing; a computer component disposed inside the housing; a light arrangement disposed inside the housing, the light arrangement being configured to illuminate a substantial portion of the housing so as to alter the ornamental appearance of the housing (100,800).
- The computer component is a display (800).
- The computer component is an I/O device;
- A general purpose computer, comprising: a housing including one or more walls that define the outer peripheral form of the general purpose computer, one of the walls having an illuminable portion configured to allow the passage of light therein; a light emitting device enclosed by the housing, the light emitting device being configured to generate light so as to illuminate at least a portion of the light

passing wall thus altering the ornamental appearance of the general purpose computer; and a processor enclosed by the housing, the processor being configured to at least partially control the operations of the general purpose computer(fig 5)

- The area of the illuminable portion is substantially larger than any of buttons, connectors or indicators located on the housing (800).
- A display for use with a general purpose computer, comprising a housing including one or more wall that define the outer peripheral form of the general purpose computer, one of the light walls being a light passing wall configured to allow the passage of light therein; a light arrangement enclosed by the housing, the light arrangement being configured to generate light so as to illuminate the light passing wall thus altering the ornamental appearance of the display; and a display screen partially enclosed by the housing, the display screen being configured to display text or graphics via a graphical user interface.
- A computing device comprising an enclosure having an illuminable wall in optical communication with a light source disposed inside the enclosure, said illuminable wall and said light source working together to emit a characteristic glow at a peripheral portion of said enclosure (100,800).

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:



(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 4-19,28,48-50,53,56-61,71,72,74 are rejected under 35 U.S.C. 103(a) as being unpatentable over An et al (6,494,593).

- An discloses the claimed invention except for the recitation of the light source including light emitting diodes. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use a light emitting diode in the invention of An since it is old and well known in the art of the advantages of using an LED as a light source (i.e. reduced thickness, high efficiency, low power consumption, high reliability, low heat production) over conventional light sources (see cited art Leman)
- With regards to the light source including a plurality of light emitting diodes, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use a plurality of light emitting diodes for the purpose of having a desired light emission that would be greater than if one LED was used, furthermore, it has been held that mere duplication of the essential working parts of a device involves only routine skill in the art. *St. Regis Paper Co. v. Bemis Co.*, 93 USPQ 8.
- The light illuminates an inner surface of the housing wall to effect an appearance change in an outer surface of the housing wall (fig 5).



- The light illuminates an inner edge of the housing wall to effect an appearance change in an outer edge of the housing wall (fig 3).
- A shaped wall disposed between the light source and the housing wall, and wherein the light from the light source illuminates an inner surface of the shaped wall to produce a shaped light effect at an outer surface of the shaped wall (wall 100 is a shaped wall, flat, figs 3 and 5).
- A light pipe for distributing the light to locations within the illuminable housing (inherently LCD's have light pipes to distribute light).
- Including a light guide for focusing the light generated by the light source (fig 3);
- A lens for focusing the light generated by the light source (23)
- With regards to a reflector for redirecting the light to locations within the illuminable housing, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include a reflector in the device of An since the implementation of a reflector in lighting devices for the purpose of concentrating and directing light emitted from a respective light source is old and well known in the art;
- The light emitting device further comprises a light source controller in communication with the light source, said light source controller being configured to process light commands to produce the light in a controlled manner via the light source (40);
- With regards to the light effect being dynamic, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have a dynamic

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lighting effect in a lighting device since dynamic lighting effects in lighting devices are well known in the art for the purpose of producing a desired decorative effect with the aid of a flashing circuit or other well known circuitry;

- With regards to the computer system has a second housing for enclosing a second component of the computer system, the second housing having a second light passing wall, the computer system further comprising: a second light source disposed inside the second housing, the second light source being configured to generate light, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have a second housing for enclosing a second component of the computer with a light passing wall and second light source, since it is old and well known in the art for a tower of a computer to contain a light emitting device for the purpose of providing a desired display (see cited prior art Scheinberg, figure 3)
- With regards to the illuminable wall portion constituting the entire housing, it would it would have been obvious to one of ordinary skill in the art at the time the invention was made to make the illuminable wall portion of An the entire housing for the purpose of having a greater area of decorative light emission, since such a modification would have involved a mere change in the size of a component. A change in size is generally recognized as being within the level of ordinary skill in the art. *In re Rose*, 105 USPQ 237 (CCPA 1955).
- With regards to the illuminable portion constitutes a part of two or more walls of the housing, it would have been obvious to one of ordinary skill in the art at the

time the invention was made to make the illuminable portion of An on two or more walls, since it has been held that mere duplication of the essential working parts of a device involves only routine skill in the art. *St. Regis Paper Co. v. Bemis Co.*, 193 USPQ 8.b

- The light directing element is a coating applied to the illuminable wall.
- The light-directing element is a textured surface of the illuminable wall.
- The characteristic glow is formed at an outer edge of the illuminable wall.

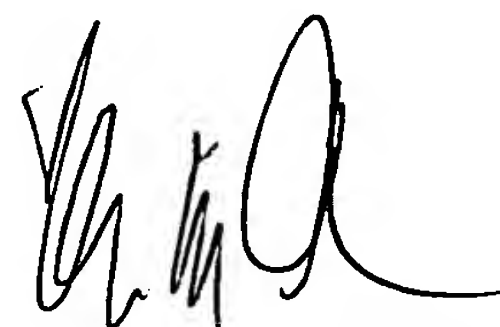
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anabel M Ton whose telephone number is (703) 305-1084. The examiner can normally be reached on 08:00-16:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on (703) 305-4939. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

Anabel M Ton  
Examiner  
Art Unit 2875

AMT



THOMAS M. SEMBER  
PRIMARY EXAMINER

